

Notice of Allowability

Application No.

10/087,257

Examiner

X L Bautista

Applicant(s)

CAMARA ET AL.

Art Unit

2179

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to paper filed 9/22/04.
2. ☒ The allowed claim(s) is/are 25-33,45-48 and 50-72.
3. ☒ The drawings filed on 19 October 2001 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

Best Available Copy

X L Bautista
Patent Examiner
Art Unit: 2179

DETAILED ACTION

Reasons for Allowance

1. Claims 25-33, 45-48, and 50-72 are allowed.
2. The following is an examiner's statement of reasons for allowance:

Independent claims 25, 33, 45, 50, 58, 59, 63, and 65 have been carefully considered. Prior art of record fails to teach a graphical user interface having a graphical window having a preview scan space, which is initially empty prior to a time when the scanner scans an image, the user interface progressively displays the image within the preview scan space to visually convey that the scanner is scanning the image.

Lavendel (US 6,587,129 B1) teaches a user interface having a preview area for displaying a preview image; the image acquisition device delivers a preview image that is displayed in a preview area; the user can manipulate and adjust the selected image; the image immediately reflecting the adjustments. Lavendel fails to teach or suggest that the preview image is progressively displayed within the preview area to visually convey that the imaging device is scanning the image.

Santos (US 4,837,635) discloses a scanner that enables a user to preview scan a picture and set out on a screen exactly what portion of the picture he wants to scan. The preview scan presents the user with a preview image of a picture. The user can select a portion of the picture he wants to scan and the scanner scans only the specified portion of the picture. Santos fails to teach or suggest that the preview scan progressively displays the picture within the scan window to visually convey that the scanner is scanning the image.

IBM Technical Disclosure Bulletin "Host System and Attached Non-Programmable Terminal with Open Parallel Port" (IBM, hereinafter) discloses an image scanning application programming interface (API) that can be added on a host system; the host application enabled to have a menu where the user initiates image scanning. IBM teaches a Preview Mode, wherein data from the scanner could be displayed in an Online Setup Mode Screen so that the user can view the scanned image as the compressed data is passed to the work station controllers (WSC). IBM fails to teach or suggest that the preview image is progressively displayed within the preview window to visually convey that the imaging device is scanning the image.

Conclusion

3. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to X L Bautista whose telephone number is (703) 305-3921. The examiner can normally be reached on Monday-Thursday (8:00-18:00), Fridays Off.

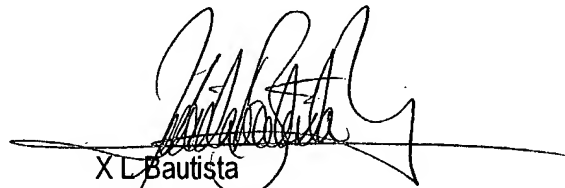
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather Herndon can be reached on (703) 308-5186. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

5. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from

either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

PTO Move Information

6. The Patent and Trademark Office will be moving to Carlyle in October 2004 (October 12th through October 28th). The Examiner's new telephone number will be (571) 272-4132; The Examiner's SPE new telephone number will be (571) 272-4136; and the Technology Center Main Telephone Number will be (571) 272-2100.



X L Bautista
Patent Examiner
Art Unit 2179

xlb
28 September 2004

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